

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

ATHENEX, INC., et al.,

Debtors.¹

Chapter 11

Case No. 23-90295 (DRJ)

(Jointly Administered)

Re Docket Nos. 8 and 60

**NOTICE OF FILING OF PROPOSED FINAL ORDER (I) AUTHORIZING THE
DEBTORS TO USE CASH COLLATERAL; (II) GRANTING ADEQUATE
PROTECTION TO PREPETITION TERM LOAN SECURED PARTIES;
(III) MODIFYING AUTOMATIC STAY; AND (IV) GRANTING RELATED RELIEF**

PLEASE TAKE NOTICE that on May 14, 2023, the above-referenced debtors and debtors in possession (the “Debtors”) commenced these chapter 11 cases in the United States Bankruptcy Court for the Southern District of Texas (the “Court”).

PLEASE TAKE FURTHER NOTICE that on May 14, 2023, the Debtors filed their *Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Term Loan Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief* [Docket No. 8] (the “Cash Collateral Motion”).

PLEASE TAKE FURTHER NOTICE that on May 16, 2023, the Court entered the *Interim order (I) Authorizing the Debtors to Use Cash Collateral; (II) Granting Adequate Protection to Prepetition Term Loan Secured Parties; (III) Modifying Automatic Stay; (IV) Scheduling a Final Hearing; and (V) Granting Related Relief* [Docket No. 60] (the “Interim DIP Order”).

PLEASE TAKE FURTHER NOTICE that attached hereto as **Exhibit A** is the proposed *Final Order (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Term Loan Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief* (the “Proposed Final Order”).

PLEASE TAKE FURTHER NOTICE that attached hereto as **Exhibit B** is a redline of the Proposed Final Order against the Interim DIP Order.

¹ A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://dm.epiq11.com/athenex>. The location of Athenex, Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 1001 Main Street, Suite 600, Buffalo, NY 14203.

Dated: June 14, 2023

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Maxim B. Litvak

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Proposed Counsel to the Debtors and Debtors in Possession

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of June, 2023, a true and correct copy of the above and foregoing has been served on all parties that are registered to receive electronic transmission through this Court's CM/ECF filing system in these cases.

/s/ Maxim B. Litvak

Maxim B. Litvak